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Judge Brian Cogan  
U.S. District Court  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, New York 11201

RE: USHER V. ON TIME BUSINESS FINANACE  
1:16-cv-05456-BMC

Your Honor:

Please be advised that the undersigned counsel represents the Plaintiff in the above referenced matter. I am writing to the Court today to report that the parties have reached a settlement in this matter. We have executed the Settlement and Release and are currently awaiting the settlement check from the Defendant. It is our intent; that upon receipt of the settlement funds, that we will file a Stipulation of Discontinuance. However, we do ask in light of the aforementioned settlement that the conference currently scheduled for tomorrow December 6<sup>th</sup>, 2016 be adjourned to early January or as soon thereafter as the Court can hear the matter in order to give the parties the opportunity to finalize the settlement as aforementioned.

Thank you for your attention in this matter should you have any questions or concerns please do not hesitate to contact my office at any time.

Sincerely,

*Nicholas Sarta*

NICHOLAS SARTA, ESQ.  
Attorney at Law